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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,355	08/29/2000	Andrea Basso	1999-0522A	8247

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EXAMINER

HUYNH, SON P

ART UNIT PAPER NUMBER

2611

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/650,355

**Applicant(s)**

BASSO ET AL.

**Examiner**

Son P. Huynh

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/16/2005 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-8, 10-29, as amended have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues neither Sezan nor Chen discloses or suggests inserting a customized advertisement during a multimedia presentation as required by amended claim 1 (page 9, paragraphs 1-3).

In response, the Examiner relies on Slezak reference (US 6,006,257) for the teaching of this feature as discussed below.

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For the reasons given above, rejections on claims 1-29 are analyzed as discussed below.

Claim 9 has been canceled.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1- 8, 10-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan et al. (US 6,236,395, in view of Chen et al. (US 6,307,550) and further in view of Slezak (US 6,006,257).

Regarding claim 1, Sezan teaches a method for generating a customized coded video sequence based on a subscriber's input (user information scheme and system description scheme— figure 1 and col. 5, line 37-col. 6, line 22), comprising: receiving multimedia input that includes image data (receiving multimedia input 38 that includes image data – figure 2);

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extracting the image data from the multimedia input (by audiovisual program analysis module 42 – figure 2 and col. 8, lines 10-29);

deriving virtual camera scripts and coding hint from the image data (program description scheme – col. 4, line 40-col. 5, line 35, col. 12, lines 28-47);

Sezan further discloses providing multimedia data based on a combination of a program description scheme, a user description scheme and a system description scheme (figures 1-2 and col. 29, lines 7-45). Necessarily, the method comprising: generating a video sequence based on the subscriber's input (user description scheme), the extracted image data, and the derived virtual camera scripts and coding hints (program description scheme and system description scheme);

coding the generated video sequence based on the coding hints (e.g. repackage the content and description schemes in different styles, times, and formats based on system capabilities – col. 7, lines 30-49 );

outputting the customized coded video sequence to an output device as a multimedia presentation (e.g. outputting user selected video sequence on display 80-figure 2).

Sezan also discloses program 38 may originate at any suitable source, such as digital video disc, still images, video cameras, video tape, etc. (col. 7, lines 56-67). However, Sezan does not specifically disclose multimedia input from the subscriber.

Chen discloses multimedia input from subscriber, and deriving virtual camera scripts from the image data (col. 2, lines 1-55, and col. 5, lines 6-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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modify Sezan to use the teaching as taught by Chen in order to provide multimedia input from subscriber to an output device thereby improve efficiency in multimedia data generating. Neither Sezan nor Chen specifically discloses inserting a customized advertisement during the multimedia presentation.

Slezak discloses outputting the customized coded video sequence to an output device as a multimedia presentation (outputting customized primary programming and secondary programming i.e. advertising to TV 502 as multimedia presentation (col. 2, lines 23-52, figure 1); and inserting a customized advertisement during the multimedia presentation (interleave the secondary programs i.e. advertising into the primary programming, wherein the secondary program is customized based on user demographics, shopping preferences, etc. – col. 2, lines 15-52; col. 3, line 45-col. 4, line 48, col. 6, line 38-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan and Chen to use the teaching as taught by Slezak in order to improve efficiency in advertising.

Regarding claim 2, Sezan teaches receiving preference information from one of the subscriber (col. 5, line 36-col. 6, line 22); storing the preference information in a subscriber profile (e.g. user information 48, system information 46 – figures 1- 2 and col. 8, lines 60-67); and generating the video sequence based on the subscriber's profile (output video based on user description scheme and system description scheme– col. 8, lines 30-67).

Regarding claim 3, Sezan discloses the user description scheme includes user's personal preferences, device setting history, etc. (col. 5, lines 36-46). The system description scheme manages the individual programs and other data; The management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, DTS, color, etc. (col. 6, lines 22-37). Thus, the subscriber profile includes device characteristics.

Regarding claim 4, Sezan discloses a method as discussed in the rejection of claim 3. Sezan further discloses user description scheme includes device setting history (col. 5, lines 36-46, col. 11, lines 14-22). Necessarily, the format settings include at least one of text font setting, text style setting, and display settings.

Regarding claim 5, Sezan teaches the coding preferences (e.g. key frames, segment definitions between shots, etc. col. 4, line 40-col. 5, line 35) are used as coding hints and include at least one of audio coding preferences and visual coding preferences (col. 4, line 40-col. 5, line 35).

Regarding claim 6, Sezan discloses user description scheme includes user's viewing history such as for example browsing history, filtering history, searching history, device setting history, etc. The user's personal preferences include personal information about the particular user, such as demographic and geographic information; program interest

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to user, viewing habit of the user, display contrast and volume control, etc. (col. 11, lines 7-22). Necessarily, the handicap settings include at least one of visual enhancement settings and audio enhancement setting (for example, the user set to display closed caption, display information of interest program, level of volume, etc.).

Regarding claim 7, Sezan discloses the user description scheme may include radio station preselected frequencies and/or types of stations (col. 7, lines 5-10). The program 38 may originate at any suitable source, such as Internet broadcast, World Wide Web, laser disc, digital video disc, etc. (col. 7, line 56-col. 8, line 3). Necessarily, the storage address of image data include at least one of computer image file, an image database, a Web page address, a URL, a floppy disk, a CD ROM.

Regarding claim 8, Sezan in view of Chen teaches a method as discussed in the rejection of claim 2. Chen further discloses the user may be prompted to pay a fee for initial processing, a fee for each still image selected, or a combination of an initial processing and an image selection fee (col. 3, lines 1-7). Apparently, the subscriber's profile includes billing information. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan to use the teaching as further taught by Chen in order to give user more convenience.

Regarding claim 10, Sezan in view of Chen teaches a method as discussed in the rejection of claim 2. Chen further discloses the coded video sequence output includes



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one or more images based on the storage addresses of image data from the subscriber's profile (figure 7 and col. 2, lines 15-36).

Regarding claim 11, Sezan in view of Chen teaches a method as discussed in the rejection of claim 2. Sezan further discloses the user start interacting with the system with a pointer or voice commands to indicate a desire to view a program (col. 9, lines 53-67). Necessarily, the subscriber provides multimedia data input and preference information to the input unit using at least one of an interactive voice response system, voice recognition system, a keyboard, a personal computer, a wireless communication device.

Regarding claim 12, Sezan discloses the system description scheme includes capabilities of the device (col. 6, lines 23-37). Thus, the subscriber's profile includes information about the display devices owned by the subscriber.

Regarding claim 13, Sezan teaches the coded video sequence output is customized for at least one of the devices included in the subscriber's profile (col. 7, lines 30-45).

Regarding claim 14, Sezan discloses the generation module 44 and the analysis module 42 provide data to a data storage unit 50 (col. 9, lines 5-8). The selections of the desired program(s) to be retrieved, stored, and/or viewed may be programmed (col. 9, lines 20-22). Thus, the extracted image data is stored in an image data database (e.g.

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database in storage unit 50). Sezan further discloses the program related information may be extracted from the data stream including the program 38 or obtained from any other source, such as for example data transferred over a telephone line, data already transferred to the system 16 in the past, or data from an associated file. However, Sezan does not specifically disclose storing virtual camera scripts in a virtual camera scripts database, coding hints in a coding hints database. Official Notice is taken that storing different data in different database is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan and Chen and Slezak to use the well-known teaching in the art of storing data in different database in order to efficiently manage the data.

Regarding claim 15, Sezan discloses the selections of the desired program(s) to be retrieved, stored, and/or viewed may be programmed, through a graphical user interface (col. 9, lines 20-25). The user starts interacting with the system with a pointer or voice commands to indicate a desire to view recorded sporting programs (col. 9, lines 54-67). Thus, the method comprising receiving one or more input commands from a user, wherein at least one of the steps of extracting, deriving, generating, coding and outputting are performed based on the user's input commands.

Regarding claim 16, Sezan teaches the image data include image data from at least one of images, a series of still frames, panorama images, web pages (figure 2 and col. 7, lines 55-67).

Regarding claim 17, Sezan discloses the program views defines logical structures of the frames of a video that define how the video frames are potentially to be viewed suitable for efficiency browsing. The program profiles define distinctive characteristics of the content of the program (col. 4, line 40-col. 5, line 30). Thus, the virtual camera scripts include at least one of a sliding window of resolution, a document browsing simulation, a general composition of images, and synthesized videos from a set of images, a panorama synthesis, and parallax techniques.

Regarding claim 18, Sezan disclose individual shot of scenes, a key frame view as a part of a program providing multiple levels of summary ranging from coarse to fine. The program profile includes texture profile, shape profile, motion profile, etc. (col. 4, line 40-col. 5, line 36). Program description scheme of a particular program and system description scheme of the viewing system are utilized to present the appropriate views to the viewing system. The content provider repackage the content and description scheme in different styles, time, formats, etc. based on the system capabilities (col. 7, lines 16-49). Necessarily, the coding hints include at least one of motion information used to generate a sequence of frames, temporal evolution of each frame, and coding parameters for each image.

Regarding claim 19, Sezan discloses the content is generated in the format, styles, time, rendering, etc. based on system capabilities such as screen size, color, etc.,

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program description and user description (col. 6, line 23-col. 7, line 49). Furthermore, Chen discloses analyzing the processed sequence of video frames to identify sub-frame motions between the frames. The user can zoom in or out on different regions of the image, pan about a panoramic image or combination of pan and zoom (col. 8, lines 10-43). Necessarily, the generating step uses a rendering plug in to decode portions of the image data into pixel maps.

Regarding claim 20, Sezan teaches the generating step uses addresses (sources of program, types of stations, etc. col. 4, line 40-col. 5, line 32, col. 7, lines 5-67) to generate an image sequence.

Regarding claim 21, Sezan discloses program 38 may originate at any suitable source, such as for example Internet broadcasts, world wide web, etc. (col. 7, lines 55-67).

Necessarily, the addresses include URLs (for access to world wide web).

Regarding claim 22, Sezan teaches the generating step generates the video sequence from more than one multimedia source (figure 2 and col. 7, lines 50-67).

Regarding claim 23, Sezan teaches the multimedia sources include at least one of television, cable TV, Interactive TV, Internet, telephone, computer generated images, wireless communications, photographs and electronically stored still images (figure 2 and col. 7, lines 50-67).

Regarding claim 24, Chen further teaches receiving an audio input (audio track) corresponding to the generated video sequence (col. 5, lines 5-22).

Regarding claim 25, Chen teaches synchronizing the audio input with the generated video sequence (col. 5, lines 5-22).

Regarding claim 26, Sezan in view of Chen teaches a method as discussed in the rejection of claim 1. Chen further discloses the video is input from subscriber and stored in storage before it is retrieved to process (col. 2, lines 15-36). Text annotations of the video may be generated automatically based on the corresponding audio track (col. 2, lines 46-48, col. 5, lines 3-9). The sound icon may be associated with the images in the video album. When a viewer clicks the sound icon 55, a portion of the audio track that corresponds to the video segment used to generate still image is played (col. 5, lines 9-22). Necessarily, the audio input is received from the subscriber, the audio input stored as at least one of a computer file and an address; the subscriber's audio input is stored in the subscriber's profile; the subscriber's audio input is retrieved; and subscriber's audio input is output in conjunction with the generated video sequence.

Regarding claim 27, Sezan in view of Chen teaches a method as discussed in the rejection of claim 1. Chen further teaches the coded video sequence is output using scrolling techniques (col. 5, lines 23-37). Therefore, it would have been obvious to one

of ordinary skill in the art to modify Sezan to use the teaching as further taught by Chen in order to improve convenience to user.

Regarding claim 28, Slezak discloses inserting customized advertisement during the multimedia presentation as discussed in the rejection of claim 1. Slezak further discloses the inserted customized advertisement is personalized to a user (based on user preferences such as user demographics and shopping references – col. 3, line 45-col. 4, line 48; col. 6, line 40-46).

Regarding claim 29, Slezak further discloses the inserted customized advertisement includes an offer of an award to a user contingent, at least partly, on a user interaction (allowing the user to play movie with half charge with some secondary programming presented during the movie, or the same movie at no charge with secondary programming including interactive advertising and questions, requiring a response from the viewer, presented during the movie – col. 3, line 65-col. 4, line 13; col. 8, lines 25-40, col. 9, lines 38-66).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Picco et al. (US 6,029,045) discloses system and method for inserting local content into programming content.

Banks (US 6,139,197) discloses method and system automatically forwarding snapshots created from a compressed digital video stream.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SPH  
December 2, 2005

  
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